MINIMUM FILING FEE: $100.00
FILE ORIGINAL & ONE COPY
TYPE OR PRINT IN BLACK INK
(For explanation of entries required, see booklet "How to file an Application to Appropriate Water in California")

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

Workmans Copy

APPLICATION TO APPROPRIATE WATER

Amended Appl. Rec'd 4/16/03 CW

APPLICATION No. 31339
(Leave Blank)

1. APPLICANT

1/04 5/14/04 LR

Golden ~~Vineyards~~ Real Estate LLC
(Name of applicant)

~~(650) 962-8885~~
(Telephone - between 8 a.m. and 5 p.m.

c/o Julie and Joe Golden

~~653 Mountain View Ave~~ 1144 South Winchester Blvd | ~~Mountain View~~ San Jose | CA | ~~94041~~ 95128
(Mailing address) | (City or town) | (State) | (Zip code)

2. SOURCE

a. The name of the source at the point of diversion is See Attachment "A"
(If unnamed, state that it is an unnamed stream, spring, etc.)

tributary to See Attachment "A"

b. In a normal year does the stream dry up at any point downstream from your project? YES [ ] NO [X]
If yes, during what months is it usually dry? From _____ to _____
What alternate sources are available to your project should a portion of your requested direct diversion season be excluded because of a dry stream or nonavailability of water? reduced percolating groundwater

3. POINTS of DIVERSION and REDIVERSION

a. The point(s) of diversion will be in the County of Mendocino
and within Assessor's Parcel Number (APN #) See Attachment "B"

b.

List all points giving coordinate distances from section corner or other tie as allowed by SWRCB regulations i.e. California Coordinate System	Point is within (40-acre subdivision)	Section	Township	Range	Base and Meridian
	¼ of ¼				
	¼ of ¼				
	¼ of ¼				

c. Does applicant own the land at the point of diversion? YES [X] NO [ ]

d. If applicant does not own the land at point of diversion, state name and address of owner and what steps have been taken to obtain right of access: _____

"The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at http://www.swrcb.ca.gov"
Additional copies of this form and water right information can be obtained at www.waterrights.ca.gov.

4. PURPOSE of USE, AMOUNT and SEASON

a. In the table below, state the purpose(s) for which water is to be appropriated, the quantities of water for each purpose, and the dates between which diversions will be made. Use gallons per day if rate is less than 0.025 cubic foot per second (approximately 16,000 gallons per day).

PURPOSE OF USE (Irrigation, Domestic, etc.)	DIRECT DIVERSION				STORAGE		
	QUANTITY		SEASON OF DIVERSION		AMOUNT	COLLECTION SEASON	
	RATE (Cubic feet per second or gallons per day)	AMOUNT (Acre-feet per year)	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)	Acre-feet per annum	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)
Irrigation, heat control and frost protection					~~132~~ 129	11/1	5/31
Domestic, pets, recreation							
Landscaping					~~136~~ 136		
Livestock, wildlife					~~3~~	11/1	5/31
					~~8~~	11/1	5/31
					~~4~~	11/1	5/31

12/12/0 LTC

b. Total combined amount taken by direct diversion and storage during any one year will be ~~136~~ 139 136 acre-feet.

5. JUSTIFICATION of AMOUNT

a. IRRIGATION: Maximum area to be irrigated in any one year is ~~88~~ 109 acres.

CROP	ACRES	METHOD OF IRRIGATION (Sprinklers, flooding, etc.)	ACRE-FEET PER YEAR	NORMAL SEASON	
				Beginning Date	Ending Date
Grapes (existing)	32	mister and drip	48	6/1	10/31
Grapes (planned)	~~67~~	mister and drip	~~72~~ 100	6/1	10/31
Olives (planned)	10	drip	10	6/1	10/31

b. DOMESTIC: Number of residences to be served is 3. Separately owned? YES [ ] NO [X]
Total number of people to be served is 11. Estimated daily use per person is 265 (Gallons per day)
Total area of domestic lawns and gardens is 50,000 square feet.
Incidental domestic uses are 5 domestic pets- cat and or dogs (Dust control area, number and kind of domestic animals, etc.)

c. STOCKWATERING: Kind of stock horses, cattle, sheep & others Maximum number 20 cattle and 200 sheep
Describe type of operation: range (Feed lot, dairy, range, etc.)

d. RECREATIONAL: Type of recreation: Fishing [ ] Swimming [X] Boating [ ] Other [ ]

e. MUNICIPAL: (Estimated projected use)

POPULATION (5-Year periods until use is completed)		MAXIMUM MONTH		ANNUAL USE		
PERIOD	POP.	Average daily use (gal. per capita)	Rate of diversion (cfs)	Average daily use (gal. per capita)	Acre-foot (per capita)	Total acre feet
Present						

Month of maximum use during year is _____. Month of minimum use during year is _____

f. HEAT CONTROL: The total area to be heat protected is ~~89~~ 109 net acres.
Type of crop protected is grapes and olives
Rate at which water is applied to use is 1.5 gpm per acre.
The heat protection season will begin about 4/1 (Date) and end about 10/1 (Date).

g. FROST PROTECTION: The total area to be frost protected is ~~89~~ 109 net acres.
Type of crop protected is grapes and olives
Rate at which water is applied to use is 1.5 gpm per acre.
The frost protection season will begin about 3/1 (Date) and end about 5/31 (Date).

h. INDUSTRIAL: Type of industry is _____
Basis for determination of amount of water needed is _____

i. MINING: The name of the claim is _____. Patented ☐ Unpatented ☐
The nature of the mine is _____. Mineral to be mined is _____
Type of milling or processing is _____
After use, the water will be discharged into _____ (Name of stream)
in _____ ¼ of _____ ¼ of Section _____, T _____, R _____, _____ B. & M.
(40-acre subdivision)

j. POWER: The total fall to be utilized is ____ feet. The maximum amount of water to be used through the penstock is _____ cubic feet per second. The maximum theoretical horsepower capable of being generated by the works is _____. Electrical capacity is _____ kilowatts at _____% efficiency.
(Cubic feet per second x fall ÷ 8.8) (Ap x 0.746 ÷ efficiency)
After use, the water will be discharged into _____ (Name of stream)
in _____ ¼ of _____ ¼ of Section _____, T _____, R _____, _____ B. & M. FERC No: _____
(40-acre subdivision)

k. FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: YES ☐ NO ☐ If yes, list specific and habitat type that will be preserved or enhanced in item 10 of Environmental Information form APP-ENV.

l. OTHER: Describe use: See attachment "F". Basis for determination of amount of water needed is _____

6. PLACE OF USE

a. Does applicant own the land where the water will be used? YES [X] NO ☐ Is land in joint ownership? YES ☐ NO ☐
(All joint owners should include their names as applicants and sign the application.)
If applicant does not own land where the water will be used, give name and address of owner, and state what arrangements have been made with the owner. _____

b. USE IS WITHIN (40-ACRE SUBDIVISION)	SECTION	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
					Number of acres	Presently cultivated (Y/N)
¼ of ¼						
¼ of ¼						
¼ of ¼			See Attachment "C"			
¼ of ¼						
¼ of ¼						

(If area is unsurveyed, state the location as if lines of the public land survey were projected, or contact the Division of Water Rights. If space does not permit listing all 40-acre tracts, include on another sheet or state sections, townships and ranges, and show detail on map.)

7. DIVERSION WORKS

a. Diversion will be by gravity by means of See Attachment "D" (Rec'd 9/23/02)
(Dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)

b. Diversion will be by pumping from See Attachment "D" Pump discharge rate _____ Horsepower _____
(Depth of the well _____) (Sump, offset well, channel, reservoir, etc.) (cfs or gpd)

c. Conduit from diversion point to first lateral or to offstream storage reservoir:

CONDUIT (Pipe or channel)	MATERIAL (Type of pipe or channel lining) (Indicate if pipe is buried or not)	CROSS SECTIONAL DIMENSION (Pipe diameter or ditch depth and top and bottom width)	LENGTH (Feet)	TOTAL LIFT OR FALL		CAPACITY (Estimate)
				Feet	+ or -	
	See Attachment "D" (Rec'd 9/23/02)					

d. Storage reservoirs: (For underground storage, complete Supplement 1 to APP, available upon request.)

Name or number of reservoir, if any	DAM				RESERVOIR		
	Vertical height from downstream toe of slope to spillway level (ft.)	Construction material	Dam length (ft.)	Freeboard Dam height above spillway crest (ft.)	Approximate surface area when full (acres)	Approximate capacity (acre-feet)	Maximum water depth (ft.)
					See	Attachment	"E"

e. Outlet pipe: (For storage reservoirs having a capacity of 10 acre-feet or more.)

Diameter of outlet pipe (inches)	Length of Outlet pipe (feet)	FALL (Vertical distance between entrance and exit of outlet pipe in feet)	HEAD (Vertical distance from spillway to outlet pipe in reservoir in feet)	Estimated storage below outlet pipe entrance (dead storage)
Pond "B" 8" & 10"	120	6	17	
Pond "D" 8"	150	4	17	
(Pond "A" has no outlet pipe)				
POND "C" 8"	120	4	15	

f. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to offstream storage will be ~~58~~ _____ cfs. Diversion to offstream storage will be made by: [X] Pumping [ ] Gravity See Attachment "G"

8. COMPLETION SCHEDULE

a. Year work will start 1999 b. Year work will be completed 2004

c. Year water will be used to the full extent intended 2014 d. If completed, year of first use _____

9. GENERAL

a. Name of the post office most used by those living near the proposed point of diversion is Redwood Valley

Does any part of the place of use comprise a subdivision on file with the Department of Real Estate? YES [ ] NO [X]

If yes, state name of the subdivision _____

If no, is subdivision of these lands contemplated? YES [ ] NO [ ]

Is it planned to individually meter each service connection? YES [ ] NO [ ] If yes, when? _____

b. List the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion: None known

c. Is the source used for navigation, including use by pleasure boats, for a significant part of each year at the point of diversion, or does the source substantially contribute to a waterway which is used for navigation, including use by pleasure boats? YES [ ] NO [X] If yes, explain _____

10. EXISTING WATER RIGHT

Do you claim an existing right for the use of all or part of the water sought by this application? YES [X] NO [ ]
If yes, complete table below:

Nature of Right (riparian, appropriative, groundwater)	Year of First Use	Purpose of use made in recent years including amount, if known	Season of Use	Source	Location of Point of Diversion
Riparian	pre-1985	irrigation, frost protection, heat control, domestic	all year	[illegible]	See Attachment "A"
Percolating Groundwater	pre-1985	irrigation, frost protection, heat control, domestic	all year	percolating groundwater	See Attachment "A"

11. AUTHORIZED AGENT (Optional)

With respect to [X] all matters concerning this water right application [ ] those matters designated as follows:

12/17/02 ASSIGNMENT FILED

FARELLA, BRAUN & MARTEL c/o PAUL P. SPALDING
(Name of agent) (415) 954 4400 (Telephone number of agent between 8 a.m. and 5 p.m.)

235 MONTGOMERY ST, SAN FRANCISCO CA 94104
(Mailing address) (City or town) (State) (Zip code)

is authorized to act on my behalf as my agent.

12. SIGNATURE OF APPLICANT

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated May 8 2002 at Mountain View, California

Mr. Mr.
Miss Mrs. [signature] (Signature of applicant)

(If there is more than one owner of the project, please indicate their relationship.)

Spouse/Co-owners

Mr. Mr.
Miss Mrs. [signature] (Signature of applicant)

Additional information needed for preparation of this application may be found in the Instruction Booklet entitled "HOW TO FILE AN APPLICATION TO APPROPRIATE WATER IN CALIFORNIA". If there is insufficient space for answers in this form, attach extra sheets. Please cross-reference all remarks to the numbered item of the application to which they may refer. Send original application and one copy to the STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS, P.O. Box 2000, Sacramento, CA 95812-2000, with $100 minimum filing fee.

NOTE:
If this application is approved for a permit, a minimum permit fee of $100 will be required before the permit is issued.

Attachment "A"

Application to Appropriate and Store Water

Application Items 2.a. and 3.b.

List all points giving coordinate distances from section corner or other tie as allowed by SWRCB regulations, i.e. California Coordinate System	Point is within (40 acre subdivision)	Section	Township	Range	Base and Meridian
POND "A" is fed by six (6) wells accessing percolating groundwater, ~~springs~~ and by roadway, surface and subsurface drainage, and Ditch Bypass "A." Pond Coordinates: N 589,800 and E 1,646,300 ~~Well Coordinates Using Map Legend:~~ ~~#W1- N 589,800 and E 1,646,500~~ ~~#W2- N 589,800 and E 1,646,600~~ ~~#W3- N 589,800 and E 1,646,600~~ ~~#W4- N 589,900 and E 1,645,800~~ Well ~~& Spring~~ ~~#W5- N 590,000 and E 1,645,700~~ Well ~~& Spring~~ ~~#W6- N 590,000 and E 1,645,700~~	Ditch Bypass A and ~~Pond, wells & springs~~ SW ¼ of SE ¼	36	17N	13W	MD
POND "B" is fed by roadway run-off, Ditch Bypass "B", Culvert "A", surface and subsurface drainage Pond and Culvert Coordinates: N ~~592,800~~ 592,900 and E 1,644,100 Ditch Bypass "B" Coordinates: N ~~592,900~~ 593,300 and E ~~1,644,100~~ 1,644,200	~~Pond~~ Culvert "A" and Ditch Bypass "B" SW ¼ of NW ¼	36	17N	13W	MD
POND "C" is fed by roadway run-off, Ditch Bypass "C", surface and subsurface drainage, and potentially from Forsythe Creek Pond Coordinates: N 593,800 and E 1,643,700 Ditch Bypass "C" Coordinates: N 593,700 and E 1,643,900 Potential Forsythe Creek Coordinates: N 592,900 and E 1,641,900	~~Pond and~~ Ditch Bypass "C" NW ¼ of NW ¼	36	17N	13W	MD
	Forsythe Creek ~~NW~~ SE ¼ of ~~SE~~ NE ¼	35	17N	13W	MD
(PROJECTED) POND "D" is fed by 3 wells accessing percolating groundwater, ~~springs~~, roadway, surface and subsurface drainage, and Ditch Bypass "D." Pond Coordinates: N 597,400 and E 1,641,700 Well ~~/ Spring~~ Coordinates Using Map Legend: #W7- N 598,200 E 1,640,800 #W8- N 598 600 E 1,640,200 #W9 N 598 600 E 1,640,200 ~~(Note: #W7, #W8 & #W9 represent both wells and springs)~~	~~Pond, wells & springs~~ SW ¼ of NE ¼ NE ¼ of NW ¼ wells and Ditch Bypass D NE of NW	26	17N	13W	MD
POND "E" is fed by roadway, surface and subsurface drainage, and Ditch Bypass "E." N 594,800 and E 1,643,700 And drainage from Pond "D" N 597,400 and E 1,641,700	Ditch Bypass E and Surface Run-off SW ¼ of SW ¼	~~35~~ 2.5	17N	13W	MD
	Drainage Pond "D" SW ¼ of NE ¼	26	17N	13W	MD
(PROJECTED) Point of Diversion # 1 is on Forsythe Creek N 592,900 and E 1,641,900	~~SE NE NW ¼ of SE ¼~~	35	17N	13W	MD

Supersedes By 3/22/05 letter from Applicant

Golden Vineyards LLC

SUPPLEMENT (6/11/02) TO ATTACHMENT A – SOURCES:

Ditch Bypass A ~~Pond A~~ (1) – Unst tributary to Forsythe Creek thence Russian River thence Pacific Ocean

Ditch Bypass B ~~Pond B~~ (2) – Unst tributary to Forsythe Creek thence Russian River thence Pacific Ocean

Ditch Bypass C ~~Pond C~~ (3) – Unst tributary to Forsythe Creek thence Russian River thence Pacific Ocean

Ditch Bypass D ~~Pond D~~ (4) – Unst tributary to Forsythe Creek thence Russian River thence Pacific Ocean

~~Pond E exp.~~

~~Spring/well # 7 - Unst tributary to Forsythe Creek thence Russian River thence Pacific Ocean~~

~~Spring/well # 8 & 9 - Unst tributary to Forsythe Creek thence Russian River thence Pacific Ocean~~

POD #1 - Forsythe Creek tributary to Russian River thence Pacific Ocean

Ditch Bypass E - Unst tributary to Bakers Creek thence Forsythe Creek thence Russian River thence Pacific Ocean

Superseded by 3/22/05 increase from App.

Attachment "B"

Golden Vineyards 'Application to Appropriate and Store Water

Application Item 3.a.

MENDOCINO COUNTY ASSESOR'S PARCEL NUMBERS:

106-160-25

106-160-~~26~~ 34

106-160-32

106-160-33

106-160-35

106-250-10

APPLICATION 31339 - REVISED ATTACHMENT A 4/25/05

SOURCES AND POINTS OF DIVERSION/REDIVERSION

a. Sources and Points of Diversion (POD)/Points of Rediversion (PORD):

X POD / ☐ PORD # 1 : FORSYTHE CREEK tributary to RUSSIAN RIVER thence PACIFIC OCEAN

X POD / ☐ PORD # A (BYPASS DITCH) : UNNAMED STREAM tributary to FORSYTHE CREEK thence RUSSIAN RIVER

X POD / ☐ PORD # B (BYPASS DITCH) : UNNAMED STREAM tributary to FORSYTHE CREEK thence RUSSIAN RIVER

X POD / ☐ PORD # C (BYPASS DITCH) : UNNAMED STREAM tributary to FORSYTHE CREEK thence RUSSIAN RIVER

X POD / ☐ PORD # D (BYPASS DITCH) : UNNAMED STREAM tributary to FORSYTHE CREEK thence RUSSIAN RIVER

X POD / ☐ PORD # E (BYPASS DITCH) : UNNAMED STREAM tributary to BAKERS CREEK thence FORSYTHE CREEK thence RUSSIAN RIVER

X POD / ☐ PORD # RESERVOIR A : UNNAMED STREAM tributary to FORSYTHE CREEK thence RUSSIAN RIVER

X POD / ☐ PORD # RESERVOIR B : UNNAMED STREAM tributary to FORSYTHE CREEK thence RUSSIAN RIVER

X POD / ☐ PORD # RESERVOIR C : UNNAMED STREAM tributary to FORSYTHE CREEK thence RUSSIAN RIVER

X POD / ☐ PORD # RESERVOIR D : UNNAMED STREAM tributary to FORSYTHE CREEK thence RUSSIAN RIVER

X POD / ☐ PORD # RESERVOIR E : UNNAMED STREAM tributary to BAKERS CREEK thence FORSYTHE CREEK thence RUSSIAN RIVER

b. State Planar and Public Land Survey Coordinate Description (Using coordinates ties to the POD are from applicant's eng'ring consultant's 2003 project map)

POD/ PORD #	CALIFORNIA COORDINATES (NAD 27)	ZONE	POINT IS WITHIN (40-acre subdivision)	SECTION	TOWN -SHIP	RANGE	BASE AND MERIDIAN

1	592900 ft N., 1641900 ft E.	2	SE¼ of NE¼	35	17N	13W	MD
A	589900 ft N., 1646200 ft E.	2	SW¼ of SE¼	36	17N	13W	MD
B	593300 ft N., 1644200 ft E.	2	SW¼ of NW¼	36	17N	13W	MD
C	593700 ft N., 1643900 ft E.	2	NW¼ of NW¼	36	17N	13W	MD
D	597500 ft N., 1642100 ft E.	2	SE¼ of NE¼	26	17N	13W	MD
E	595000 ft N., 1643700 ft E.	2	SW¼ of SW¼	25	17N	13W	MD
RES A	589800 ft N., 1646300 ft E.	2	SW¼ of SE¼	36	17N	13W	MD
RES B	592900 ft N., 1644100 ft E.	2	SW¼ of NW¼	36	17N	13W	MD
RES C	5933800ft N., 1643700 ft E.	2	NW¼ of NW¼	36	17N	13W	MD
RES D	597400ft N., 1641700 ft E.	2	SW¼ of NE¼	26	17N	13W	MD
RES E	594800ft N., 1643700 ft E.	2	SW¼ of SW¼	25	17N	13W	MD

Attachment "C"

Golden Vineyards' Application to Appropriate and Store Water

Place of Use 6.b.

Use is within	Section	Township	Range	Base and Meridian	Acres Cultivated	Existing / Planned
SE ¼ of NW ¼	36	17N	13W	MD	8	Existing
NE ¼ of SW ¼	36	17N	13W	MD	15	Existing
NW ¼ of SE ¼	36	17N	13W	MD	1	Existing
SE ¼ of SW ¼	36	17N	13W	MD	2	Existing
SW ¼ of SE ¼	36	17N	13W	MD	6	Existing
				TOTAL EXISTING ACRES	**32**	
SE ¼ of SE ¼	36	17N	13W	MD	10	Planned
SW ¼ of SE ¼	36	17N	13W	MD	1	Planned
NE ¼ of SE ¼	36	17N	13W	MD	1	Planned
NW ¼ of SE ¼	36	17N	13W	MD	3	Planned
SW ¼ of NE ¼	36	17N	13W	MD	3	Planned
SE ¼ of NW ¼	36	17N	13W	MD	3	Planned
SW ¼ of NW ¼	36	17N	13W	MD	1	Planned
NE ¼ of NW ¼	36	17N	13W	MD	1	Planned
NW ¼ of NW ¼	36	17N	13W	MD	24	Planned
SW ¼ of SW ¼	25	17N	13W	MD	2	Planned
NE ¼ of SE ¼	26	17N	13W	MD	~~2~~ 5	Planned
NW ¼ of SE ¼	26	17N	13W	MD	~~4~~ 8	Planned
SE ¼ of NE ¼	26	17N	13W	MD	1	Planned
SW ¼ of NE ¼	26	17N	13W	MD	1	Planned
				TOTAL PLANNED ACRES	~~57~~ 77	
				GRAND TOTAL ACRES	~~89~~ 109	

SE¼ of SE¼ 26 17N 13W MD 5 Planned

SW¼ of SE¼ 26 17N 13W MD 8 Planned

Attachment "D"

Golden Vineyards 'Application to Appropriate and Store Water

Application Items 7.a. – c.

7.a. Pond "A" – Piped from six (6) horizontal wells accessing percolating groundwater, ~~springs~~, roadway, surface and subsurface drainage; and Ditch Bypass A.

Pond "B" – Ditch Bypass "B", Culvert "A", surface, subsurface and roadway drainage;

Pond "C" – Ditch Bypass "C", surface, subsurface, and roadway drainage and potentially Forsythe Creek;

Projected Pond "D" – Piped from three (3) horizontal wells accessing percolating groundwater, ~~springs~~, surface, subsurface, and roadway drainage; and Ditch Bypass D;

Pond "E" – Surface, subsurface, and roadway drainage, and Ditch Bypass E.

7.b.

Forsythe Creek Point of Diversion - Discharge rate of 250 gpm with a 60 h.p. diesel pump

7.c.

Pond Name	Conduit (Pipe or Channel)	Material (type of pipe or channel Lining)	Cross Sectional Dimension	Length in Feet	Lift or Fall	Capacity in acre feet
Pond "A"	Pipe	Buried PVC	2.5 inches	300 - 400	3' fall	10
Pond "B"	Pipe	Buried PVC	6 inches	500	20' fall	2.9
Pond "C" with Forsythe Creek Diversion	Pipe Pipe	Buried PVC Buried Steel & PVC	6 inches 6 inches	500 2,350	20' fall 350' rise	~~11.9~~ 12
Projected Pond "D"	Pipe	Buried PVC	6 inches	500 (est.)	20' fall (est.)	10
Pond "E"	Pipe	Buried PVC	2.5 inches	300 (est.)	10' fall	~~8~~ 5

~~56.5~~

RGD 9/23/02

Attachment "E"

Golden Vineyards 'Application to Appropriate and Store Water

Application Item 7.d.

Dam & Reservoir Dimensions

Name or number of reservoir	Dam				Reservoir		
	Vertical height from downstream toe to spillway level (ft.)	Construction Material	Dam length (ft.)	Freeboard Dam height above spillway crest (ft.)	Approximate surface area when full (acres)	Approximate capacity (acre-feet)	Maximum water depth (ft)
Pond "A"	27 ~~24~~ ft.	Compacted earth	350 ft.	2 ~~3~~ ft.	~~0.95~~ 1.0	10 acre feet	17
Pond "B"	22 ft.	Compacted earth, 40 mill plastic pond liner has been installed	200 ft.	3 ~~4~~ ft.	~~2.4~~ 2.5	29 acre feet	18
Pond "C"	28 ~~25~~ ft.	Compacted earth, 40 mill plastic pond liner has been installed	200 ft.	2 ~~3~~ ft.	~~1.1~~ 1.2	12 ~~11.5~~ acre feet	~~17~~ 16
Pond "D"	22 ft.	Compacted earth	380 ft.	2 ~~3~~ ft.	1.0	10 acre feet	16
Pond "E"	18 ~~20~~ ft.	Compacted earth	300 ft.	2 ~~3~~ ft.	~~0.6~~ 0.5	5 ~~6~~ acre feet	~~18~~ 18

Attachment "F"

Golden Vineyards was established in 1995 with the goal of growing high quality wine grapes while promoting sustainable farming techniques. Although Heart Arrow Ranch covers over 1,000 acres of land, we intend to farm less than 10 per cent, leaving the balance of more than 900 acres in its current pristine state as a wildlife habitat. We are organically certified and expect to receive biodynamic certification this coming year. The biodynamic agricultural technique arises from a non-chemical agricultural movement which predates the organic agriculture movement. As a result, Golden Vineyards does not use any chemicals or pesticides. Weed control is entirely mechanical or manual, and insects are controlled by use of cover-cropping and chickens. Fertilizing is accomplished using organically certified fish emulsion applied using our drip irrigation system and through use of compost. Our soil is alive and healthy.

Frost protection and heat control are achieved using misters rather than sprinklers, and irrigation is done using drip technology. These practices significantly reduce use of water and also result in very good erosion and run-off controls.

In addition to our organic and biodynamic farming practices, we plan to employ storage ponds which capture erosive runoff, thereby decreasing the sedimentation of surrounding waterways. As the Program Director of Fish Friendly Farming noted in the enclosed letter, one of our proposed ponds would catch eroded soil which "would otherwise be transported into Forsythe Creek, a salmonid stream." Moreover, the Department of Fish and Game supports pond storage to aid in the protection "of fisheries resources and other important wildlife resources in our coastal streams." In addition, all farmed acreage is cover-cropped, further eliminating erosion and loss of valuable topsoil.

Our ranch manager was one of the first farm managers in Mendocino County to practice biodynamic grape farming over 10 years ago. In addition he has completed "Fish Friendly Farming" training (developed by the Sotoyome Resource Conservation District) and "Water Quality Management" training (developed by the University of California Cooperative Extension and the USDA). We hope to receive our Fish Friendly Farm certification later this year.

Golden Vineyards has made every effort to exhibit good stewardship of the land, and maintain an environmentally responsible presence while aiming to create an economically viable and sustainable farming operation.

Attachments to Attachment "F":

1. Golden Vineyards Organic Grower Certificate
2. Letter from California Department of Fish and Game regarding off-stream storage
3. Letter from Laurel Marcus, Program Director of the Fish Friendly Farming program regarding Pond "D"

Attachment G

Application item 7f.

Maximum Rate of Diversion to Offstream Storage:*	**Diversion to offstream storage will be made by:**
Proposed POD #1 (Forsythe Creek): .56 cfs	Pumping
Ditch Bypass A: 12 inch pipe to Pond A – 8 cfs	Gravity
Ditch Bypass B: 18 inch pipe to Pond B – 14 cfs	Gravity
Ditch Bypass C: 12 inch pipe to Pond C – 8 cfs	Gravity
Ditch Bypass D: 12 inch pipe to Pond D – 8 cfs	Gravity
Ditch Bypass E: 12 inch pipe to Pond E – 8 cfs	Gravity

* Per Whalen Toy's (State Water Resources Control Board) instructions, the maximum rates of diversion for the pipes from the ditch bypass structures to the ponds were calculated based on the pipes' maximum carrying capacity. This methodology resulted in large, unrealistic cfs totals. See the attachment to Attachment G (4/2/03 Memorandum from Ron Franz (a certified California civil engineer)) which provides an explanation of the calculation for maximum rates of diversion, copy of site map, bypass structure details, and calculations for maximum rates of diversion.

Ron W. Franz
Civil Engineering & Land Surveying

April 2, 2003

Farella Braun & Martel, LLP
Russ Building, 30th Floor
235 Montgomery Street
San Francisco, CA 94104

Attn: Skip Spaulding, III

0059250

RE: Golden Vineyards

Dear Skip:

Attached are copies of a site map of the Golden Vineyards showing the pond locations as well as a revised copy of the bypass structure details and pipe capacities. As requested by Whalen Toy at the State Water Resources Control Board, I have included the maximum carrying capacity of each of the pipes. Please note, that these numbers are simply the maximum amount that these pipe sizes could carry, they are not the actual amount of water that they will carry. Since the drainage areas above these bypass structures are fairly small, the actual amount of water that will flow in the ditches and into the pipes is much less. The ditches above the bypass structures are fairly small and only flow during and shortly after rainfall, then they dry up. If you have any questions or need anything else, please don't hesitate to call me.

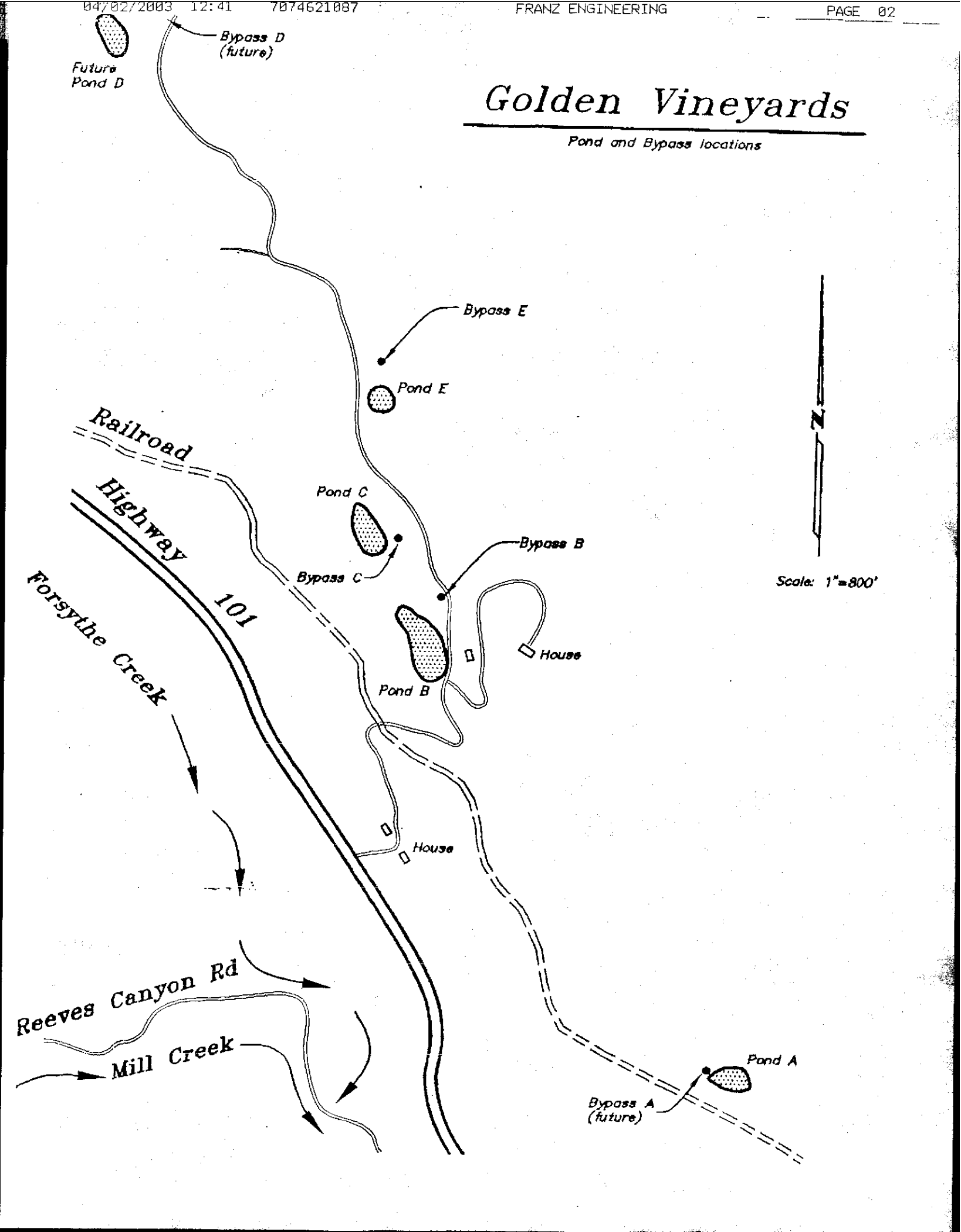
Sincerely

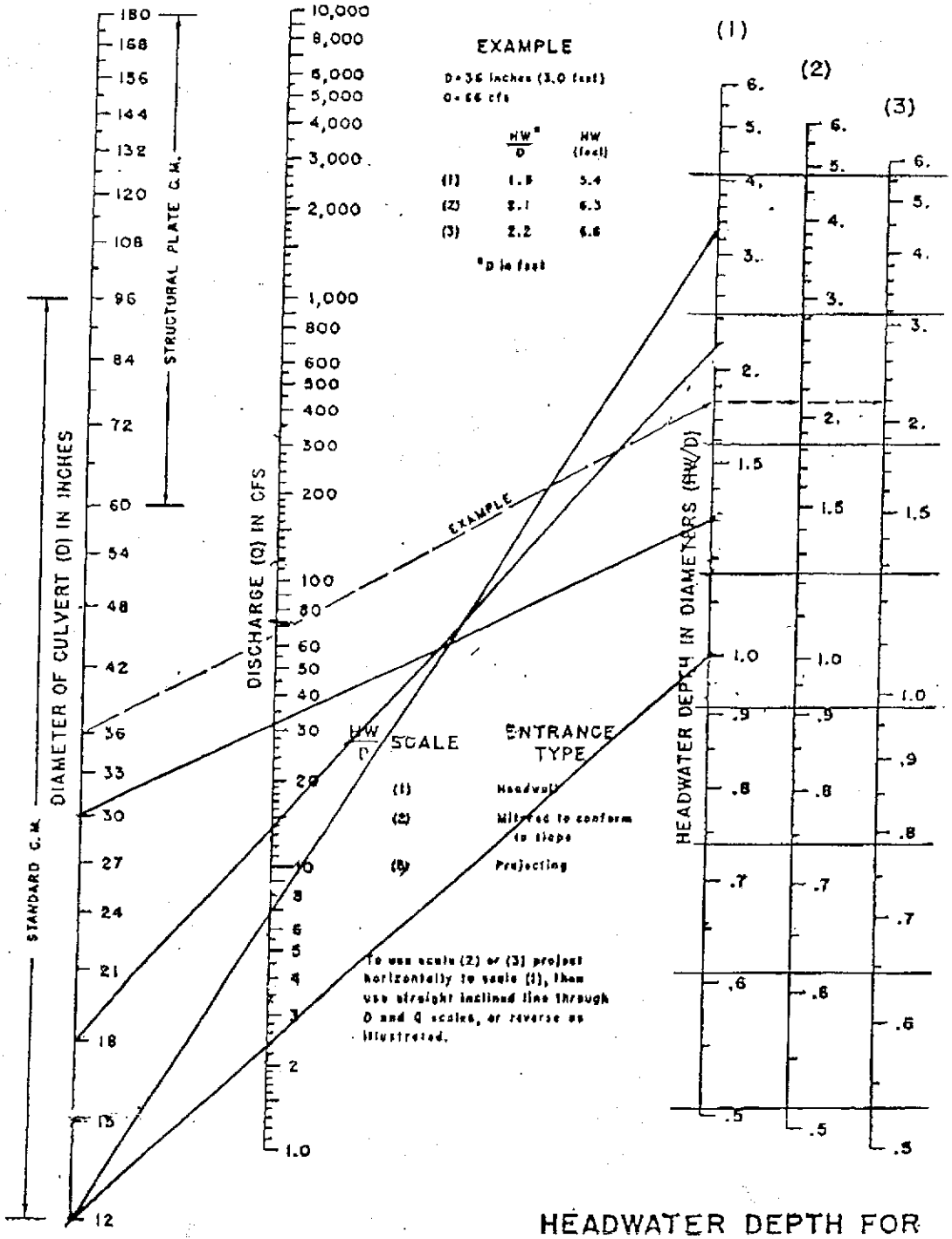
Ron W. Franz
RCE, PLS

2335 Appolinaris Drive ------ Ukiah, California 95482
Phone 707-462-1087

Golden Vineyards

Pond and Bypass locations





BUREAU OF PUBLIC ROADS JAN. 1963

HEADWATER DEPTH FOR C. M. PIPE CULVERTS WITH INLET CONTROL

12" PIPE HW=3.3' HW/D = 3.3 Q = 8.0 cfs
18" PIPE HW=3.3' HW/D = 2.2 Q = 14 cfs
30" PIPE HW=3.3' HW/D = 1.3 Q = 32 cfs

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 657-2170, FAX: (916) 657-1485, Web: http://www.waterrights.ca.gov

COPY

APPLICATION TO APPROPRIATE WATER BY PERMIT
ENVIRONMENTAL INFORMATION

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. 31339

The following information will aid in the environmental review of your application as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR APPLICATION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your application being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

PROJECT DISCRIPTION

1. Provide a description of your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated and project operation, including how the water will be used.

This project involves ~~three~~ four (4) completed storage ponds and ~~two~~ one (1) proposed ponds which supply water for domestic and agricultural use. The project includes ~~forty~~ (40) acres of organic, biodynamic vineyard and Approximately ten (10) acres are projected for olives. There are currently two (2) residences on the property which is landscaped and will also include chickens, horses and cattle.

ninety nine 99

Thirty two (32) acres exist. Sixty seven (67) acres are planned.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your water right application, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your project. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:

   a. Person contacted Woody Hudson Date of contact November 29, 2001
   Department Mendocino County Planning Commission Telephone (707) 463-4281

   b. Assessor's Parcel No. 106-160-25, ~~26~~ 32, 33, 35 and 106-250-10

   c. County Zoning Designation Rangeland

   d. Are any county permits required for your project? yes
   If yes, check appropriate space below:
   X Grading Permit, _____ Use Permit, _____ Watercourse Obstruction Permit, _____ Change of Zoning, _____ General Plan Change, Other (explain):
   Pond Repair Permits

   e. Have you obtained any of the required permits described above? yes
   If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your project? No (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

   Permit type _____

   Person (s) contacted _____ Agency _____

   Date of contact _____ Telephone ( ) _____

4. Has any public agency prepared an environmental document for any aspect of your project?
   yes

   If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing

an environmental document for your application or whether the applicant, if it is a California public agency, will be preparing the environmental document for your project:
There were several reports prepared relating ~~The Division of Water Quality has requested that a soils engineer~~ be retained due to the failure of pond number 3 in the Spring of 2001. California Department of Forestry drafted a report regarding removal of trees on property.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your application cannot proceed until such documents are submitted.

5. Will your project, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? No If so, explain: _____

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your project? _____

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? _____

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? No

Do you know of any archeological or historic sites located within the general project area?

_____ If so, explain: _____

ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
   a. Along the stream channel immediately downstream from the proposed point(s) of diversion

   b. Along the stream channel immediately upstream from the proposed point(s) of diversion

   c. At the place(s) where the water is to be used

   Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your application will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within you project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Commuinities
- Subalpine Conifer
- Red Fir
- Lodgepole Pine
- Mixed Conifer
  - Sierran Mixed Conifer
  - White Fir
  - Klamath Mixed Conifer
- Douglas-Fir
- Jeffrey Pine
- Ponderosa Pine
- Eastside Pine
- Redwood
- Pinyon-Juniper
- Juniper
- Aspen
- Closed-Cone Pine-Cypress
- Montane Hardwood-Conifer
- Montane Hardwood
- Valley Foothill Hardwood
  - Blue Oak Woodland
  - Valley Oak Woodland
  - Coastal Oak Woodland
- Valley Foothill Hardwood-Conifer
  - Blue Oak-Digger Pine
- Eucalyptus
- Montane Riparian
- Valley Foothill Riparian
- Desert Riparian
- Palm Oasis
- Joshua Tree

Shrub Dominated Communities
- Alpine Dwarf-Shrub
- Low Sage
- Bitterbrush
- Sagebrush
- Montane Chaparral
- Mixed Chaparral
- Chamise-Redshank Chaparral
- Coastal Scrub
- Desert Succulent Shrub
- Desert Wash
- Desert Scrub
- Alkali Desert Scrub

Herbaceous Dominated Communities
- Annual Grassland
- Perennial Grassland
- Wet Meadow
- Fresh Emergent Wetland
- Saline Emergent Wetland
- Pasture

Aquatic Communities
- Riverine
- Lacustrine
- Estuarine
- Marine

Developed Communities
- Cropland
- Orchard-Vineyard
- Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 653-7203).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your application, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

Approximately six (6) acres of trees were removed for the vineyard development. The trees are identified as manzanita, madrone and a few oak trees. The oaks were 8"-10" in diameter.

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by * under Question 11 below):

None

11. Identify the typical species of riparian and terrestrial wildlife in the project area and discuss whether or not any of these species and/or their habitat has been or would be affected by your project through construction of water diversion and distribution works and/or changes in the place of water use. (Note: See footnote denoted by * below):

Typical Mendocino County wildlife, including deer, skunk, coyotes, rabbits, rats and mice.

No adverse impact is anticipated.

*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your project. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Does your proposed project involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? No

If so, explain:

CERTIFICATION

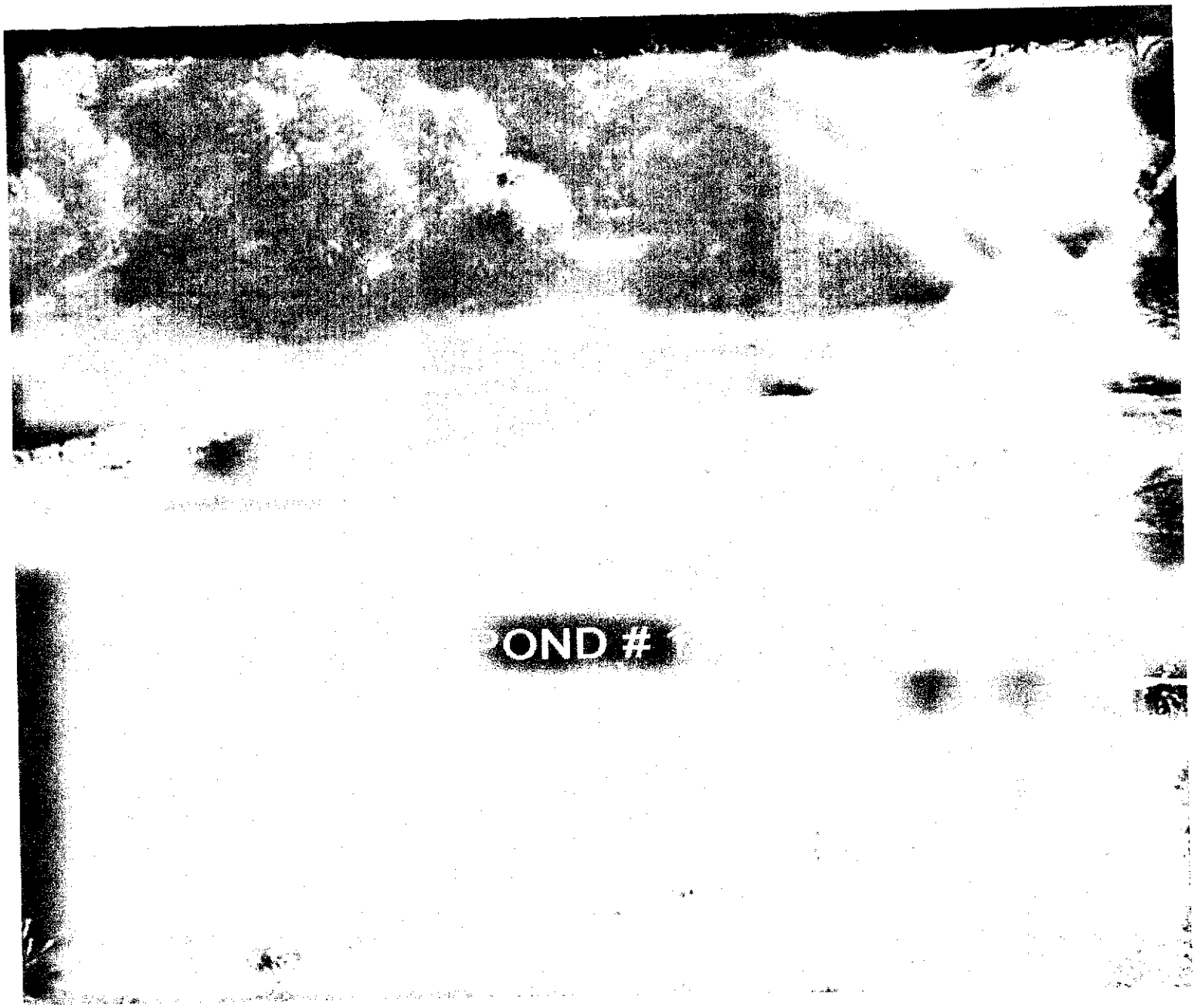
I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date November 29, 2001 Signature Lisa L. Gallegos

EAU Copy
X3373

Set #3

31339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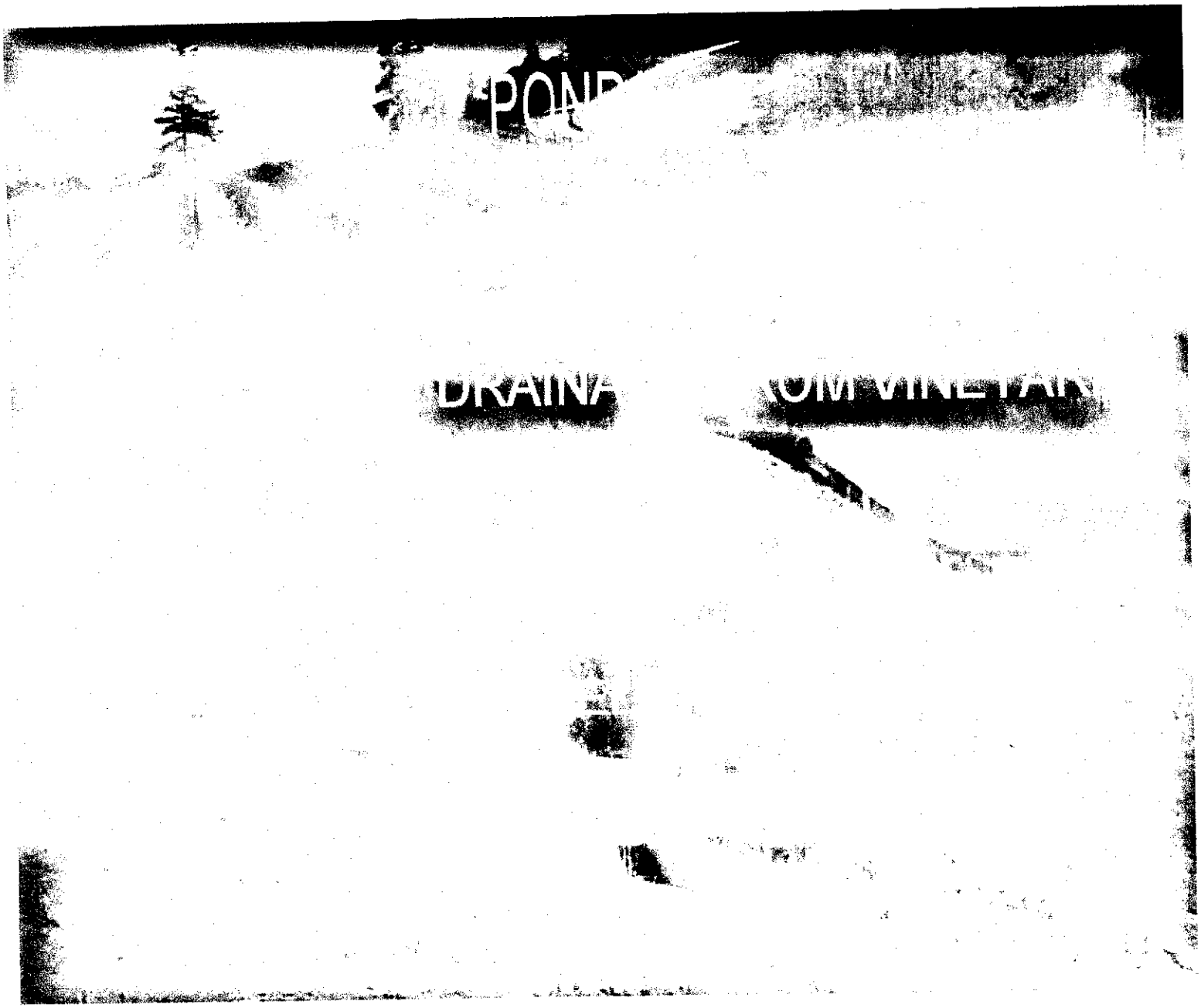
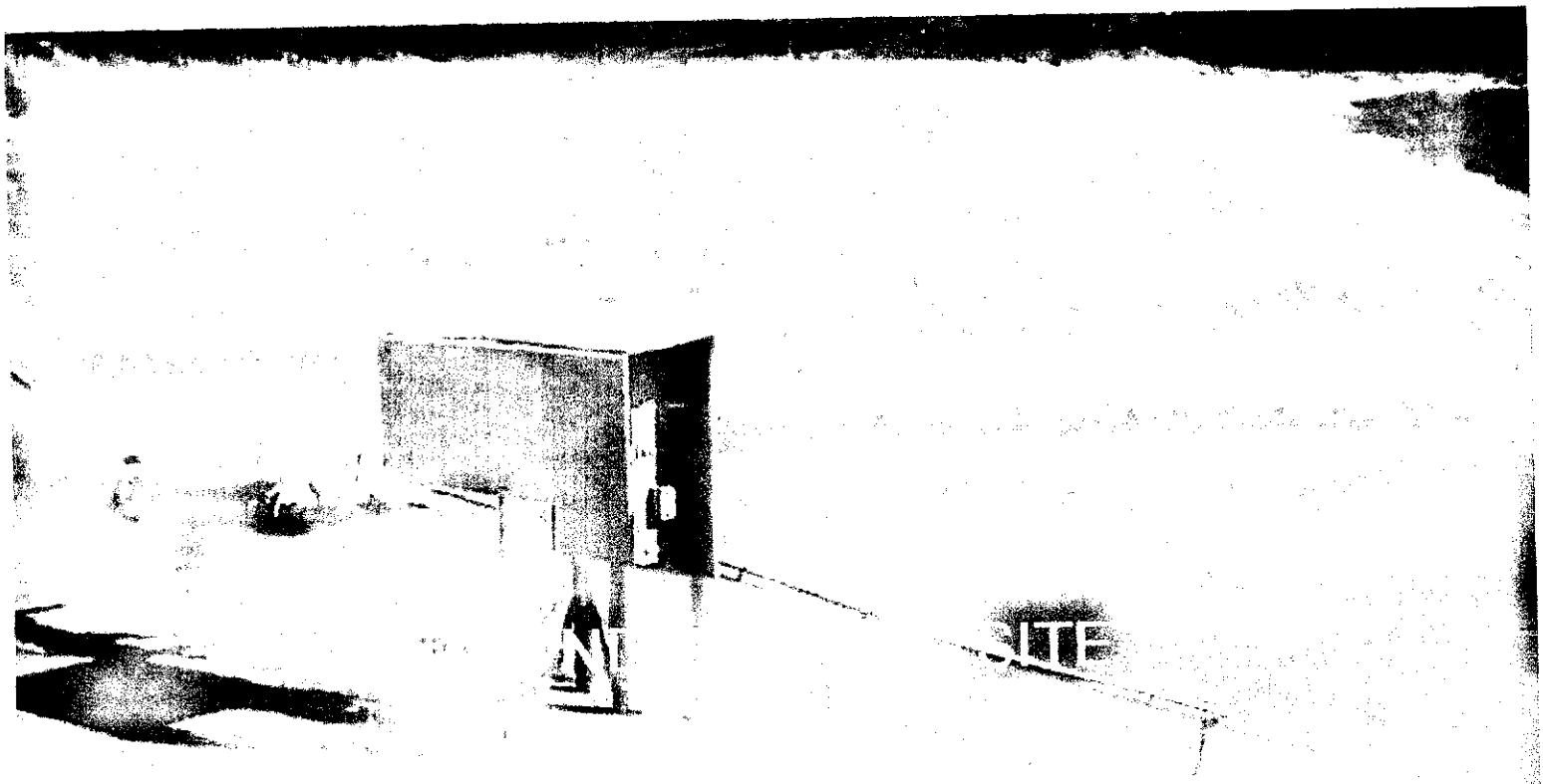


POND A

4/16/03



POND A

4/14/03

Pond A
4/16/03